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CERTIFICATE OF SERVICE

The undersigned certifies that on this date, the foregoing was electronically filed with the Clerk of Court of the United States District Court for the Western District Of North Carolina, Asheville Division, using the CM/ECF system which will automatically send notification of such filing to Mark C. Kurdys at mkurdys@roberts-stevens.com, counsel for the Defendant Werner Enterprises, Inc., who is a registered user, and service was also effected by depositing a copy of the same in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Postal Service, addressed to the attorney for the Defendant Werner Enterprises, Inc. as follows:

Mark C. Kurdys, Roberts & Stevens, P.A., PO Box 7647, Asheville, NC 28802.

This the 2nd day of August, 2010.

s/ Derrick R. Bailey
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